

Executive Order
Office of the Mayor
City of Atlanta

J.T.V.
4:15 pm
RECEIVED

JUL 21 2004 *PAR*

MUNICIPAL CLERK

EXECUTIVE ORDER NUMBER 2004-2

BY THE MAYOR

DIRECTING THAT THE BUREAU OF PLANNING ACCEPT NO APPLICATIONS AND TAKE NO ACTION TO RE-PLAT OR SUBDIVIDE ANY LOTS WHICH ARE THE SUBJECT OF A PROPOSED REZONING IN LAND LOTS 116, 117, 118, 138 AND 139 OF THE 17th DISTRICT, FULTON COUNTY, AS MORE PARTICULARLY DESCRIBED IN THE ATTACHED MAP, UNTIL SUCH TIME AS THE CITY COUNCIL HAS TAKEN FINAL ACTION ON AN ORDINANCE INSITUTING A TEMPORARY MORATORIUM.

WHEREAS, there are numerous parcels within Council District 8, Land Lots 116, 117, 118, 138 and 139 of the 17th District, Fulton County Georgia on or near Northside Drive, East Conway Drive, Jett Road, Powers Ferry Road/Putnam Drive and Blackland Road, (the "Chastain Park Neighborhood") that are zoned R-3, a classification with minimum lot sizes of 18,000 square feet; and

WHEREAS, the platting pattern and lot size of many of these parcels more closely resembles that of the R-2 or R-2A zoning classification which requires larger lot sizes such that subdivision of a single existing lot into two new R-3 lots is possible; and

WHEREAS, there is an increasing demand for new housing construction and development in the City of Atlanta; and

WHEREAS, the residents of the Chastain Park neighborhoods have expressed concern over the effects of the subdivision of the existing large R-3 lots into smaller lots permitted by the R-3 zoning classification; and

WHEREAS, a survey and inventory of the parcels in the Chastain Park Neighborhood is necessary to explore the feasibility of rezoning of part of the Chastain Park Neighborhood which is now zoned R-3 to R-2A; and

WHEREAS, it is in the best interest of the health safety and welfare of the citizens of the City of Atlanta that all reasonable efforts be made to encourage and support the preservation and development of single family neighborhoods; and

WHEREAS, it is consistent with the goals of the Comprehensive Development Plan that those be developed in a manner consistent with platting which prevails in the Chastain Park neighborhood until such time as the survey and inventory is completed.

WHEREAS, an ordinance placing controls on the acceptance of permits for the replatting or subdivisions of lots in the Chastain Park neighborhood, has been or will be introduced at the July 19, 2004 meeting of the Atlanta City Council and prior to the time that final action of the

City Council can be taken on said ordinance, there exists the strong possibility that numerous applications would be filed with the Bureau of Planning circumventing the purposes of the interim controls; and

WHEREAS during the period between the introduction of the ordinance and final action by the City Council, such applications would be analyzed under the current regulations of the City of Atlanta Zoning Ordinance unless an executive order is issued which directs the Bureau of Planning that no such applications can be accepted until the final action of the City Council on the ordinance imposing this moratorium; and

WHEREAS, pursuant to Section 2-182 of the Code of the City of Atlanta, the Mayor may issue executive orders which apply to events of short duration and which expire at the next meeting of City Council subsequent to its issuance unless ratified by a majority vote of the members present and voting; and

WHEREAS, there is an urgent need, substantially related to the public health, safety and welfare, that interim controls on the acceptance of permits for the replatting and subdivision in the Chastain Park Neighborhood be in place and that the purpose of the interim controls not be circumvented until such time as final action on the ordinance can be taken by the City Council; and

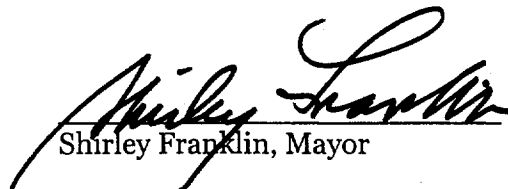
WHEREAS, this executive order will be for a brief and specific period of time which shall begin on July 19, 2004 and end at the next meeting of the City Council.

I, SHIRLEY FRANKLIN, AS MAYOR OF THE CITY OF ATLANTA, NOW HEREBY AUTHORIZE, ORDER AND DIRECT AS FOLLOWS:

As of July 19, 2004 the Bureau of Planning is hereby authorized, ordered and directed to refuse to accept applications for the replatting or subdivisions of lots in the Chastain Park neighborhood in District 8 as specified in the attached map.

This order shall remain in effect until such time as the Atlanta City Council approves or adversely an ordinance instituting a temporary moratorium on the replatting or subdivisions of lots in the Chastain Park neighborhood in District 8 as specified in the attached map, and the ordinance becomes effective, provided however, that such action by the City Council must take place at the meeting scheduled for August 16, 2004 or if such meeting is not held, at the next meeting held thereafter. In the event that the map attached to this order conflicts with the map attached to said ordinance, the map attached to this order shall control.

This 21st day of July, 2004


Shirley Franklin, Mayor

ATTESTED:


Municipal Clerk

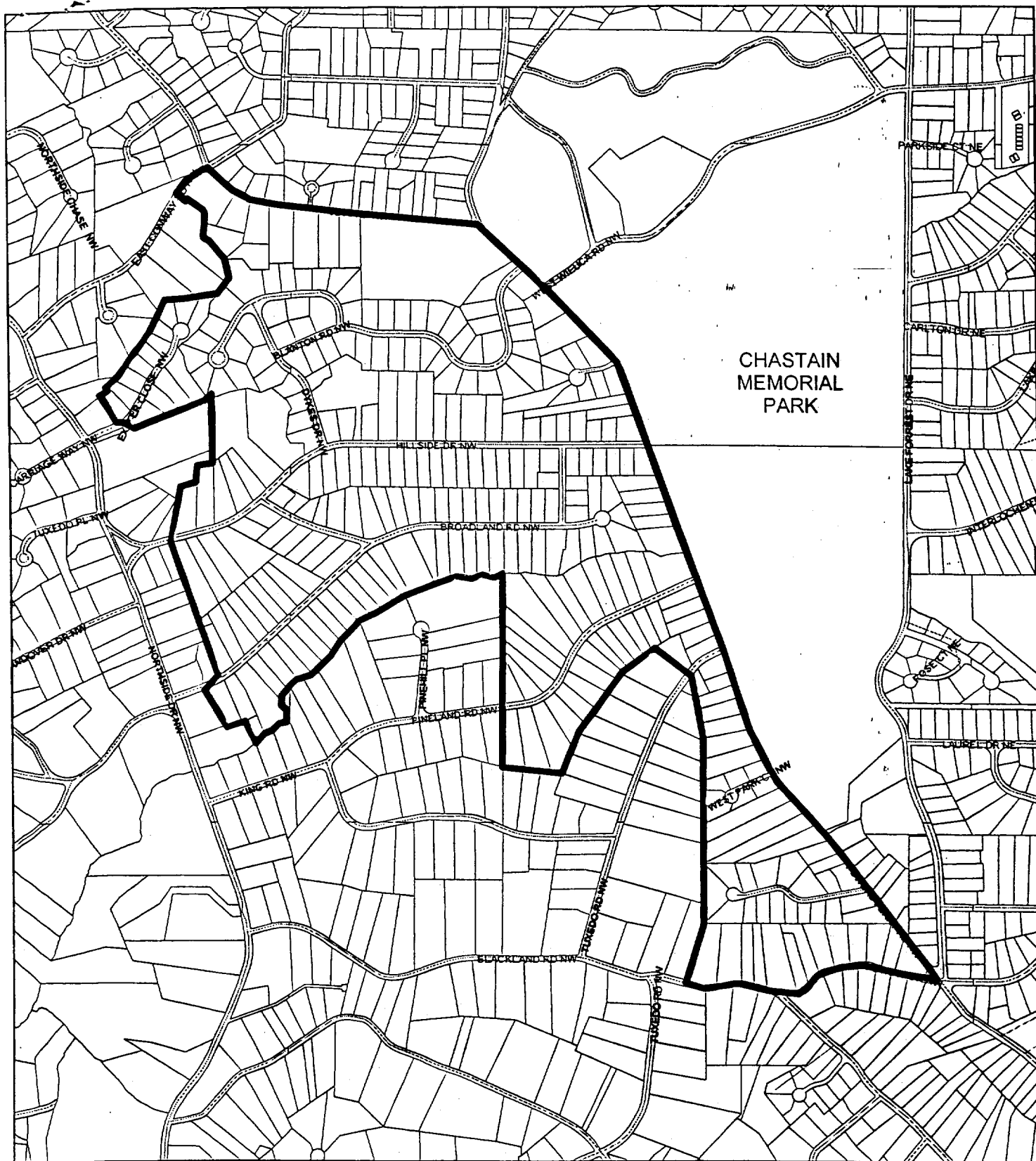


Exhibit "A"
Z-04-_____

0 0.2 0.4 0.6 0.8 Miles

